

Valli Kane & Vagnini
Attorneys at Law

600 Old Country Road
Suite 519
Garden City, NY 11530

Tel: 516-203-7180
Fax: 516-706-0248
www.vkvlawyers.com

April 11, 2013

VIA ELECTRONIC MAIL

Hon. Lorna G. Schofield
United States District Court
Southern District of New York
500 Pearl St.
New York, New York 10007
Schofield_NYSDChambers@nysd.uscourts.gov

Re: *Guzman v. NYP Holdings, Inc., et al.*
No. 09 CV 9323 (LGS)

Dear Judge Schofield:

This firm represents Mary McLoughlin, a non-party to the above-referenced matter. We were made aware of Mr. Pearson's correspondence dated April 10, 2013 in reference to our client's deposition.

We have previously informed Mr. Pearson that Ms. McLoughlin has no relevant information regarding his client's claims and yet, he insists on wasting Ms. McLoughlin's time and expenses. We have drafted the letter seeking permission to move to quash the subpoena, as well as an affidavit, for Ms. McLoughlin. Due to her moving her home right now, she has not yet been able to execute the affidavit.

Therefore, we respectfully request that Your Honor reserve decision on ordering Ms. McLoughlin's deposition until reviewing the letter seeking permission to move to quash and Ms. McLoughlin's affidavit. We expect the affidavit to be executed tomorrow and the letter seeking permission to move to quash to be filed immediately thereafter. We are hopeful that the affidavit will obviate the need for Ms. McLoughlin's deposition.

Respectfully submitted,

/s/
Sara Wyn Kane

cc: Lawrence M. Pearson, Esq. (via e-mail)
Mark W. Lerner, Esq. (via e-mail)